

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

WALTER MACON	)	CASE NO.: 1:17 CV 01653-JG
	)	
Plaintiff	)	JUDGE JAMES S. GWIN
	)	
vs.	)	
	)	<b>JOINT STIPULATION</b>
ALLSTATE INSURANCE COMPANY	)	<b>RELATING TO DAMAGES</b>
	)	
Defendant	)	

Now come the parties and hereby stipulate to the following relating to plaintiff's complaint:

1. Plaintiff has filed a cause of action against Allstate Insurance Company relating to a loss that occurred at plaintiff's property in or around July 2016.

2. Pursuant to the complaint filed in the Cuyahoga County Court of Common Pleas identified as Case No. CV 17 882508, which was filed on or around June 30, 2017, the prayer for relief as in excess of \$25,000 and included a punitive damage request.

3. After the case was removed to Federal Court based upon the punitive damage request, plaintiff filed a specification of damages in the Common Pleas Court noting that his damages do not exceed \$50,000.

4. At no time will plaintiff amend his complaint to add any additional causes of action or any claim which will make his damages in any way exceed \$50,000.

5. Plaintiff further stipulates that he will not seek or accept any damage award in excess of \$50,000 in *any* court including in the Court of Common Pleas Cuyahoga County.

6. The parties further stipulate that this action should be remanded to the Court of Common Pleas, Cuyahoga County, Ohio, for all further proceedings.

7. Plaintiff also shall not seek to recover any costs or attorney fees in connection with the removal of this action to this court or in connection with any portion of his demand that would make his damages exceed \$50,000 and shall not seek to recover any costs or attorney fees in regard to the remand back to state court.

8. Plaintiff is hereby bound by this stipulation, by and through his counsel, and counsel has been authorized by their respective clients to enter into said stipulation making the parties bound by the stipulation regardless of whether they change counsel.

9. This Stipulation is only valid if the U.S. District Court remands said case back to the Cuyahoga County Common Pleas Court.

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Date: 9/8/2017

Dated: September 12, 2017

s/ James S. Gwin  
JAMES S. GWIN  
UNITED STATES DISTRICT JUDGE